

9

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN

MARCUS A. MALEY Plaintiff(s),

Case: 2:12-cv-13892
Judge: Borman, Paul D.
MJ: Whalen, R. Steven
Filed: 09-04-2012 At 10:20 AM
CMP MALEY V OCTAPharma PLASMA INC,
ET AL (EB)

v.

OCTAPharma PLASMA INC.
FLEMMING NILSEN "PRESIDENT"

Defendant(s).

HEADQUARTERS → 704-654-4600
3525 WHITEHALL PARK DRIVE
SUITE 500
CHARLOTTE, NC 28273

784-483-0067

Civil Complaint

PLACE OF OCCURANCE813 W. MICHIGAN AVE
YPSILANTI, MICHIGAN 48197

ON OR ABOUT MAY 22, 2012 I WENT IN FOR A
SECOND APPOINTMENT AT OCTAPharma PLASMA INC. IN YPSILANTI
MICHIGAN AND WAS BEING SCREENED. I began to SPEAK WITH
THE SCREENER AND ASKED A QUESTION ABOUT A MEDICAL
PROCEDURE IN GENERAL AND IN CONVERSATION I MENTIONED THE
FACT I AM DISABLED. SHE began to ACT odd AND
SAID YOU CANNOT DONATE IF YOU'RE ON disability. I told
her the story AND explained I do not TAKE medication
AND is only psychological. SHE MADE A SCENE AND I
tried to get her to calm down AND ASKED to SPEAK WITH
her SUPERVISOR I spoke w/ the SUPERVISOR AND WAS ASKED
to LEAVE. This decision WAS life threatening to me. AND
WAS JETTERED AROUND THE WORLD, AFTER donating for 15 years.

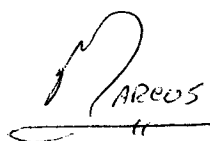

MALEY

8-25-2012

VS.

OCTAPHARMA PLASMA INC.

TO THE COURT I WOULD LIKE TO REQUEST A CHANGE OF
VENUE TO THE BOB DOLE COURTHOUSE → 500 STATE AVE.,
KANSAS CITY, KANSAS 66101. DUE TO A RECENT MOVE AND
TRANSPORTATION.

Office of the Law Revision Counsel, U.S. House of Representatives

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[Go to 1st query term\(s\)](#)

-CITE-

28 USC Sec. 4101

01/03/2012 (112-90)

-EXPCITE-

TITLE 28 - JUDICIARY AND JUDICIAL PROCEDURE

PART VI - PARTICULAR PROCEEDINGS

CHAPTER 181 - FOREIGN JUDGMENTS

-HEAD-

Sec. 4101. Definitions

-STATUTE-

In this chapter:

(1) **Defamation.** - The term "**defamation**" means any action or other proceeding for **defamation**, libel, slander, or similar claim alleging that forms of speech are false, have caused damage to reputation or emotional distress, have presented any person in a false light, or have resulted in criticism, dishonor, or condemnation of any person.

(2) **Domestic court.** - The term "domestic court" means a Federal court or a court of any State.

(3) **Foreign court.** - The term "foreign court" means a court, administrative body, or other tribunal of a foreign country.

(4) **Foreign judgment.** - The term "foreign judgment" means a final judgment rendered by a foreign court.

(5) **State.** - The term "State" means each of the several States, the District of Columbia, and any commonwealth, territory, or possession of the United States.

other written speech that might otherwise have been written or published but for the fear of a foreign lawsuit.

"(4) The threat of the libel laws of some foreign countries is so dramatic that the United Nations Human Rights Committee examined the issue and indicated that in some instances the law of libel has served to discourage critical media reporting on matters of serious public interest, adversely affecting the ability of scholars and journalists to publish their work. The advent of the internet and the international distribution of foreign media also create the danger that one country's unduly restrictive libel law will affect freedom of expression worldwide on matters of valid public interest.

"(5) Governments and courts of foreign countries scattered around the world have failed to curtail this practice of permitting libel lawsuits against United States persons within their courts, and foreign libel judgments inconsistent with United States first amendment protections are increasingly common."



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Office of the Law Revision Counsel, U.S. House of Representatives

JS 44 (Rev. 12/07)

CIVIL COVER SHEET County in which action arose WAYNE

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS

MARCUS A. MALEYDEFENDANTS OCTAPharma Plasma Inc.
FLEMMING NIELSEN - PRESIDENT(b) County of Residence of First Listed Plaintiff ANDERSON
(EXCEPT IN U.S. PLAINTIFF CASES) KANSASCounty of Residence of First Listed Defendant WAYNE
(IN U.S. PLAINTIFF CASES ONLY) MICHIGANNOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE
LAND INVOLVED. ADDRESS

(c) Attorney's (Firm Name, Address, and Telephone Number)

Attorneys (If Known)

3525 WHITHALL PARK DRIVE
SUITE 600
CHARLOTTE, NC, 28273

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff ☒ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | | | | | |
|---|---------------------------------------|---------------------------------------|---|----------------------------|---------------------------------------|
| | PTF | DEF | | PTF | DEF |
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input checked="" type="checkbox"/> 4 |
| Citizen of Another State | <input checked="" type="checkbox"/> 2 | <input checked="" type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury	PERSONAL INJURY <input type="checkbox"/> 362 Personal Injury - Med. Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	FORFEITURE/PENALTY <input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other	BANKRUPTCY <input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark	OTHER STATUTES <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input checked="" type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus: <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition	<input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus - Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	

V. ORIGIN

(Place an "X" in One Box Only)

- ☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from another district (specify) ☐ 6 Multidistrict Litigation ☐ 7 Appeal to District Judge from Magistrate Judgment

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

2-USA-SEC. 1331 - DISCRIMINATION, DEFAMATION - 28-USA SEC. 4101

Brief description of cause:

DISCRIMINATED FOR DISABILITY

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMAND \$

40,000,000.00

CHECK YES only if demanded in complaint:

JURY DEMAND: ☒ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE

SIGNATURE OF ATTORNEY OF RECORD

March 16, 2012

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____

PURSUANT TO LOCAL RULE 83.11

1. Is this a case that has been previously dismissed?

☐ Yes
☒ No

If yes, give the following information:

Court: _____

Case No.: _____

Judge: _____

2. Other than stated above, are there any pending or previously discontinued or dismissed companion cases in this or any other court, including state court? (Companion cases are matters in which it appears substantially similar evidence will be offered or the same or related parties are present and the cases arise out of the same transaction or occurrence.)

☐ Yes
☒ No

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Court: _____

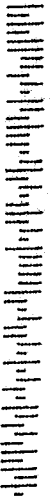
Case No.: _____

Judge: _____

Notes :

I DID NOT RECEIVE AN APPLICATION "AFFIDAVIT" TO PROCEED
WITHOUT PREPAYMENT OF FILING FEES

Marcus Maley
631 W. First Avenue
Garnett, KS 66032



AUG 28 2012

USPS

956

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF MICHIGAN

OFFICE OF THE CLERK

THEODORE LEVIN U.S. COURTHOUSE

231 WEST LAFAYETTE BLVD.

DETROIT, MICHIGAN 48226

JS 44 (Rev. 12/07)

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MARCUS A. MALEY

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(EXCEPT IN U.S. PLAINTIFF CASES) KANSAS

(c) Attorney's (Firm Name, Address, and Telephone Number)

DEFENDANTS OCTAPharma PLASMA INC.
FLEMMING NIELSEN → PRESIDENT

County of Residence of First Listed Defendant WAYNE
(IN U.S. PLAINTIFF CASES ONLY) MICHIGAN

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE
LAND INVOLVED. ADDRESS

Attorneys (If Known)

3505 WHITHALL PARK DRIVE
SUITE 500
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- Citizen or Foreign

Case:2:12-cv-13892

Judge: Borman, Paul D.

MJ: Whalen, R. Steven

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		<input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes

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40,000,000.00

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JUDGE

DOCKET NUMBER

DATE

SIGNATURE OF ATTORNEY OF RECORD

March 16, 2012

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____

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☐ Yes
☒ No

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Court: _____

Case No.: _____

Judge: _____

Notes :

I Did not RECEIVE AN Application "Affidavit" to proceed
WITHOUT PREPAYMENT OF Filing FEES
